

**RULES
OF
THE TENNESSEE ALARM SYSTEMS CONTRACTORS BOARD**

**CHAPTER 0090—1
GENERAL PROVISIONS**

TABLE OF CONTENTS

0090—1—.01	Purpose	0090—1—.07	Alarm Systems Contractor
0090—1—.02	Definitions		Requirements
0090—1—.03	Restrictions and Exclusions in Alarm Contracting	0090—1—.08	Surety Bond and Insurance Requirements
0090—1—.04	Application for Certification, License or Registration	0090—1—.09	Fees
0090—1—.05	Employee Registration	0090—1—.10	Renewal of Certificate or License
0090—1—.06	Qualifying Agent Requirements	0090—1—.11	Identification Cards

0090—1—.01 PURPOSE.

The purpose of these rules is to implement uniform procedures and qualifications throughout Tennessee for the certifying, licensing, registration, and regulation of alarm systems contractors and to protect the safety and security of persons and property by assuring the competence of individuals or companies offering alarm systems and services to the general public.

Authority: T.C.A. §§62—32—302 and 62—32—307(a). **Administrative History:** Original rule filed January 14, 1993; effective February 28, 1993.

0090—1—.02 DEFINITIONS.

As used in these rules, unless the context otherwise requires, the definitions of terms contained in T.C.A. §62—32—303 of the Act are applicable. Additional definitions are listed as follows:

- (1) **QUALIFYING AGENT** - An individual licensed by the Board whose qualifications have been demonstrated to the Board for overseeing and supervising alarm systems contractor operations of fire, burglar, Closed Circuit Television, and/or monitoring.
- (2) **DESIGNATED QUALIFYING AGENT** - The Qualifying Agent designated by the certified contractor to be responsible for compliance with state law.
- (3) **RESPONSIBLE CHARGE** - Capable of answering questions relevant to the technical and business decisions regarding alarm systems contracting in sufficient detail as to leave little doubt as to the Qualifying Agent's proficiency for the work performed and familiarity with the alarm systems contractor's day to day business operations.
- (4) **CLERICAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is maintenance of records, letters, or correspondence related to specific alarm systems.
- (5) **MANAGERIAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is supervising the activity of other employees.
- (6) **TECHNICAL EMPLOYEE** - An employee of an alarm systems contractor whose primary responsibility is the installation, service, or repair of equipment used in alarm systems.

(Rule 0090-1-.02, continued)

- (7) **SALES REPRESENTATIVE** - An employee of an alarm systems contractor whose primary responsibility is direct contract with the existing or proposed customer with the intent to sell alarm equipment or services.
- (8) **MONITORING CENTER EMPLOYER** - An employee of an alarm systems contractor whose primary responsibility is to monitor alarm systems and/or receive alarm signals and provide an appropriate response to an alarm condition.
- (9) **ALARM RUNNER** - An employee of an alarm system contractor whose primary responsibility is direct response to an alarm condition at the premises where the alarm signal originated.
- (10) **CERTIFICATION** - The authority granted by the Board to a business entity to do business as an alarm systems contractor.
- (11) **REGISTRANT** - An individual employee of an alarm systems contractor, other than a Qualified Agent, who has been found to meet the requirements established by the Board for their job classification.
- (12) **LICENSURE** - The authority granted by the Board for an individual to serve as a Qualifying Agent.
- (13) **BOARD** - The Alarm Systems Contractors Board as established by *T.C.A.*, Title 62, Chapter 32.
- (14) **PORTABLE INVESTIGATIVE EQUIPMENT** - Surveillance equipment, devices and associated wiring that is not permanently attached to a building or other structure.
- (15) **NATIONALLY RECOGNIZED TRAINING PROGRAM** - A course or educational training program, as further described in Chapter 0090—3 of the Board's rules, for one or more segments of the alarm industry that is recognized for high quality training of alarm professionals.
- (16) **CLOSED CIRCUIT TELEVISION** - An alarm system that provides video surveillance of events, primarily by means of transmission and recording of visual signals through the use of film, cameras, receivers, and other visual imaging systems. Closed circuit television systems may also include as secondary functions, audio and related electrical signals.

Authority: *T.C.A. §§62—32—304(b), and 62—32—307(a).* **Administrative History:** *Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996.*

0090—1—.03 RESTRICTIONS AND EXCLUSIONS.

- (1) As used in these rules, the prohibited activities as set forth in *T.C.A. §62—32—304*, paragraphs (a) through (k), and exclusions as set forth in *T.C.A. §62—32—305*, paragraphs (1) through (11) are applicable.
- (2) Mechanical locks without electrical components and electro-mechanical locking devices securing a single entry point, which are not part of either an integrated system involving multiple access points or other alarm systems shall not be considered an “alarm system” as defined in *T.C.A. §62—32—303* paragraph (1).
- (3) A contractor qualifying for the exclusion under *T.C.A. §62—32—305(7)* who intends to engage in the business of an alarm system contractor shall file with the Board:
 - (a) a notarized statement to the effect that the contractor derives less than fifty percent (50%) of its gross annual revenue from such business; and

(Rule 0090-1-.03, continued)

- (b) a photocopy of the contractor's license.
- (4) Motor vehicle alarm systems are not subject to regulation under *T.C.A.*, Title 62, Chapter 32, or these rules.
- (5) The Board recognizes that Portable Investigative Equipment is not an alarm system as defined by *T.C.A. §62—32—303(1)(A)*.
- (6) A unitized or self-contained alarm device with a single function (e.g. smoke or intrusion detector) that requires no wiring to install, that is not interconnected or linked to other alarm devices, and that does not send a signal outside the protected premises by means of buzzers, bells, sirens or remote communication shall not be considered an alarm system as defined in *T.C.A. §62—32—303(1)*.

Authority: *T.C.A. §§62—32—303(1)(A) and (2), 62—32—305(7) and 62—32—307(a). Administrative History:* Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996.

0090—1—.04 APPLICATION FOR CERTIFICATION, LICENSE OR REGISTRATION.

All companies or persons who seek to be certified, licensed, or registered must complete an application on forms prescribed by the Board and submit the completed application forms to the Board.

Authority: *T.C.A. §§62—32—304 and 62—32—307(a). Administrative History:* Original rule filed January 14, 1993; effective February 28, 1993.

0090—1—.05 EMPLOYEE REGISTRATION REQUIREMENTS.

- (1) All persons seeking registration with the Board must comply with the requirements set out in *T.C.A. §§62—32—307 and 62—32—312*.
- (2) All persons employed by an alarm systems contractor and required to be registered shall apply for registration with the Board on such forms as prescribed by the Board within thirty (30) days after employment and shall pay the applicable fees, and submit to a background check conducted by the Board, including investigation by the Tennessee Bureau of Investigation, and the Federal Bureau of Investigation.
- (3) The Board may deny, suspend, or revoke any registration issued, or to be issued under this part to any applicant or Registrant who fails to satisfy the requirements of *T.C.A. §62—32—301 et seq.* or the rules of the Board.
- (4) A registered employee may not be employed by a certified company other than the company the employee originally registered with unless the employee and the Qualifying Agency submit a completed transfer form to the Board.
- (5) An employee's registration may be suspended, revoked, or civil penalties can be assessed if the employee violates any rule of the Board or any provision of *T.C.A.*, Title 62, Chapter 32, Part 3.
- (6) If a registered employee leaves the employment of a contractor the registered employee must be employed with a certified contractor within ninety (90) days or their registration will expire.
- (7) An applicant for registration shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.

(Rule 0090-1-.05, continued)

(8) Renewal

- (a) A registration shall expire on the expiration date of the certification of the alarm systems contractor that employs the holder of the registration.
- (b) An alarm systems contractor shall apply to the Board for the renewal of the registration of each registrant employed by the contractor as of the date the contractor submits its application for renewal of its certification.
- (c) An alarm systems contractor is not required to apply to renew an employee who has submitted an application for initial registration which has not yet been determined by the Board by the date of the expiration of the contractor's certification provided that the contractor renews its certification in a timely fashion. If the contractor fails to submit to the Board its application for renewal by the expiration date of its certification, then the contractor is required to apply to renew each registration of a registrant employed by the contractor regardless of the date that the registration was issued by the Board.
- (d) In order to renew the registrations of its employees, an alarm systems contractor shall submit to the Board:
 - 1. a Board approved form containing a notarized statement of the contractor's designated qualifying agent or chief executive officer which identifies the number of registrations being renewed as well as a list containing the name and registration number of each registered employee which the contractor is required to renew; and
 - 2. the renewal fee required for the renewal of each registration, as established by rule 0090-1-.09 Fees.

Authority: T.C.A. §§62—32—307(a), 62—32—307(l), 62—32—312, 62—32—318 and 62—32—320.
Administrative History: Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998.

0090—1—.06 QUALIFYING AGENT REQUIREMENTS.

- (1) Any person desiring to be licensed as a Qualifying Agent shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. An applicant shall receive a license if the requirements of T.C.A. §62—32—313(a)(b)(c) and (d) as described in these rules have been met and all requisite fees have been paid.
- (2) Effective July 1, 1994, classifications of Qualifying Agents are as follows:
 - (a) Fire alarm system;
 - (b) Burglar alarm system;
 - (c) Monitoring; and
 - (d) Closed Circuit Television
- (3) An applicant for a Qualifying Agent's license shall apply for each classification in which the applicant will be serving as a Qualifying Agent for an alarm systems contractor.

(Rule 0090-1-.06, continued)

- (4) An applicant will be deemed to have met the criteria for a classification if the applicant has indicated on the application form the classification(s) for which application is made and has met all applicable requirements.
- (5) An applicant for a Qualifying Agent license shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.
- (6) A Qualifying Agent who obtained licensure prior to July 1, 1994 in the burglar and/or fire alarm system classification(s) and who desires to continue selling or installing Closed Circuit Television systems shall:
 - (a) upon the first renewal occurring on or after July 1, 1994, apply for the Closed Circuit Television classification on a Board approved form and pay the license fee(s) for the Closed Circuit Television classification; and
 - (b) prior to the next renewal, provide the Board with proof of having completed a Board approved nationally recognized training program for the Closed Circuit Television classification (which may be used to satisfy continuing education requirements).
- (7) A Qualifying Agent who obtained licensure prior to July 1, 1994 in the burglar and/or fire alarm system classification(s) and who desires to continue monitoring alarm systems shall upon the first renewal occurring on or after July 1, 1994:
 - (a) apply for the monitoring classification on a Board approved form; and
 - (b) pay the license fee for the monitoring classification.
- (8) A Qualifying Agent may have his or her license revoked or suspended or civil penalties imposed upon him or her for any violation of these rules or *T.C.A.*, Title 62, Chapter 32, Part 3.
- (9) A Qualifying Agent must file a termination/transfer form with the Board within thirty (30) days if the Qualifying Agent leaves the employment of the alarm systems contractor by which he is employed.
- (10) A Designated Qualifying Agent shall:
 - (a) Be in responsible charge of the alarm systems contractor by which he or she is employed;
 - (b) Notify the Board within thirty (30) days of any conviction of which he or she knows or should have known of any Registrant, applicant for registration or Qualifying Agent employed by the contractor by any state, federal or military court of any crime listed in *T.C.A. §62—32—303* paragraph 8. (for purposes of these rules, “conviction” means and includes the entry of a plea of guilty, a plea of no contest or a verdict rendered in open court by a judge or jury);
 - (c) Be responsible for determining the employees who have access to sensitive records, diagrams, plans, or other sensitive information pertaining to installed or proposed alarm systems (those persons must be registered with the Board);
 - (d) Be responsible for ensuring that any person required to be registered has submitted an application to the Board and for providing the Board with all information and materials required by *T.C.A. §62—32—312(d)* to the Board;

(Rule 0090-1-.06, continued)

- (e) Be responsible for ensuring that an accurate application for the renewal of registrants employed by the alarm systems contractor has been submitted in accordance with rule 0090-1-.05 Employee Registration Requirements.
- (f) Notify the Board within thirty (30) days of any change of address of the Designated Qualifying Agent, the alarm systems contractor, and any Registrant, other Qualifying Agent, or applicant for registration employed by the alarm system contractor; and
- (g) Notify the Board within ten (10) days of any known or suspected violation of *T.C.A.*, Title 62, Chapter 32, Part 3 or the Board's rules.

Authority: *T.C.A. §§62—32—303, 62—32—304(b), 62—32—307(a), 62—32—307(l) 62—32—313, 62—32—316(b), and 62—32—320. Administrative History: Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998.*

0090—1—.07 ALARM SYSTEMS CONTRACTOR REQUIREMENTS.

- (1) Any person desiring to be certified as an alarm systems contractor shall make written application to the Board on such forms as are prescribed by the Board. The application shall be accompanied by an application fee as set by the Board. An applicant shall meet the requirements of *T.C.A. §62—32—314* to the satisfaction of the Board.
- (2) Effective July 1, 1994, classification of alarm systems contractors are as follows:
 - (a) Fire alarm system;
 - (b) Burglar alarm system;
 - (c) Monitoring; and
 - (d) Closed Circuit Television
- (3) The applicant for an alarm systems contractor shall apply for each classification in which it will be engaging in alarm systems contracting activity.
- (4) An applicant for an alarm systems contractor certification shall respond promptly to all requests by the Board for further information. Failure to provide requested information within thirty (30) days of a request from the Board shall be a basis for the denial of an application.
- (5) An alarm systems contractor shall submit an application for the renewal of registrants employed by the contractor in accordance with rule 0090-1-.05 Employee Registration Requirements.
- (6) The Certification of an alarm systems contractor can be suspended, revoked, or civil penalties can be assessed for any violation of these rules or *T.C.A.*, Title 62, Chapter 32, Part 3.
- (7) An alarm systems contractor must have a Designated Qualifying Agent who shall be responsible for the contractor's compliance with state law.
- (8) The contractor and the Designated Qualifying Agent must file a termination/transfer form with the Board within ten (10) days if the Designated Qualifying Agent leaves the employment of the contractor or becomes a non-Designated Qualifying Agent still in the employment of the contractor. The business entity must obtain a substitute Designated Qualifying Agent within thirty

(Rule 0090-1-.07, continued)

(30) days after the prior Designated Qualifying Agent ceases to serve as such, unless the Board in its discretion extends this period for good cause for a period not to exceed three (3) months.

- (9) The contractor and the Designated Qualifying Agent must file a termination/transfer form with the Board within ten (10) days if a Qualifying Agent leaves the employment of the contractor or becomes a Designated Qualifying Agent within the employment of the contractor.
- (10) The contractor or the Designated Qualifying Agent must notify the Board within thirty (30) days of any known conviction or any conviction of which the contractor or Designated Qualifying Agent should have known of any Designated Qualifying Agent, Qualifying Agent, or registered employee under their supervision by any state, federal, or military court of any crime listed in *T.C.A. §62—32—303*, paragraph (8). For purposes of these rules, “conviction” means and includes the entry of a plea of guilty, pleas of no contest or a verdict rendered in open court by a judge or jury.
- (11) Upon application for certification and renewal the contractor or the Designated Qualifying Agent must file with the Board a roster of all employees who are licensed or registered.

Authority: *T.C.A. §§62—32—307(a), 62—32—307(l), and 62—32—314. Administrative History: Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998.*

0090—1—.08 SURETY BOND AND INSURANCE REQUIREMENTS.

No Certification shall be issued under this part until the applicant files with the Board, on a form approved by the Board, a surety bond and evidence of insurance that meets all the requirements as set forth in *T.C.A. §62—32—315*.

Authority: *T.C.A. 62—32—307(a) and 62—32—315. Administrative History: Original rule filed January 14, 1993; effective February 28, 1993.*

0090—1—.09 FEES.

- (1) The following non-refundable application fees shall be required:
 - (a) Company Certification Application Fee.....\$200.00
(All categories - fire alarm, burglar alarm, closed circuit television or monitoring applicable to main and branch offices,
 - (b) Qualifying Agent License Application Fee.....\$125.00
 - (c) Employee Registration Application Fee.....\$75.00
- (2) The following Certification/License/Registration Fees shall be required upon notification that an application has been approved:
 - (a) Company Certification Fee.....\$50.00 per classification
 - (b) Qualifying Agent Fee.....\$50.00 per classification
 - (c) Employee Registration Fee.....\$25.00
- (3) The following transfer fees and duplicate identification card fees shall be required upon notification that a licensee or registered employee has transferred to a certified alarm contractor

(Rule 0090-1-.09, continued)

other than the contractor indicated on the identification card, or upon receipt of a request for a duplicate identification card. An identification card being replaced must be returned to the Board with a transfer form.

- (a) Transfer Fee.....\$50.00
(includes fee for new identification card)
- (b) Duplicate Identification Card Fee.....\$25.00
- (4) The following renewal fees shall be required:
 - (a) 1. Single classification company certification
Renewal fee per year.....\$ 80.00 (per location)
 - 2. Multiple classification company certification
Renewal fee per year.....\$100.00 (per location)
 - (b) 1. Single classification qualifying agent license
Renewal Fee per year.....\$40.00
 - 2. Multiple classification qualifying agent license
Renewal Fee per year.....\$100.00
 - (c) Employee registration
Renewal fee per year.....\$25.00 (per employee)
- (5) Separate Certification and renewal fees must be submitted for both main and branch offices.

Authority: T.C.A. §§62—32—307(b) and 62—32—318. **Administrative History:** Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed October 17, 1994; effective December 30, 1994. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998.

0090—1—.10 RENEWAL OF CERTIFICATION AND LICENSE.

- (1) As used in these Rules, the requirements contained in T.C.A. §62—32—317 are applicable.
- (2) Each certificate and license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid on such date unless renewed.
- (3) Company Certification renewal notices shall be mailed by the Board ninety (90) days prior to the expiration date of the Certification. Qualifying Agent License renewal notices shall be mailed by the Board to the last known business address ninety (90) days prior to the expiration date of the license. Such renewals must be received in the office of the Board thirty (30) days prior to the expiration of such Certification or license.
- (4) It shall be the duty of the Board to notify every company certificate holder and Qualifying Agent licensee by mail to the last known business address of the date of expiration of such certificate or license and the amount of fee required for its renewal for one (1) year.
- (5) Applications for renewal of the company Certification shall list all persons required to be licensed or registered in accordance with T.C.A. §62—32—312(a).

(Rule 0090-1-.10, continued)

- (6) No Qualifying Agent license shall be renewed unless the Board has received satisfactory evidence of the completion of continuing education during the previous year, in compliance with the minimum satisfactory standards as set forth in rule 0090—5—.01.
- (7) A qualifying agent who has not met the requirements for renewal of a qualifying agent license by the expiration date of the license shall cease acting as a qualifying agent for any firm until the qualifying agent has established to the satisfaction of the Board that all qualifications for renewal, including the payment of any fees for late renewal, have been met.
- (8) The fee to be paid for the renewal of a company certificate or Qualifying Agent license after the expiration date shall be increased ten percent (10%) for each month or fraction of a month that payment for renewal is delayed; provided that the maximum fee for a delayed renewal shall not exceed twice the normal fee.
- (9) No company certificate holder or Qualifying Agent licensee shall receive a renewal when such company or agent has been in default in complying with *T.C.A. §62—32—301 et seq.* for a period of one (1) year, and, in such an event, the alarm systems contractor or Qualifying Agent, in order to qualify under the law, shall make new application and meet all current requirements to obtain a new license or certificate.

Authority: *T.C.A. §62—32—307(a), 62—32—307(c), 62—32—313, and 62—32—317. Administrative History: Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996. Amendment filed May 11, 1998; effective July 25, 1998.*

0090—1—.11 IDENTIFICATION CARDS.

- (1) The Board shall issue to every individual licensed or registered by the Board an identification card bearing a minimum:
 - (a) The full correct name.
 - (b) A color passport size photo.
 - (c) The registration or license number assigned by the Board.
 - (d) The license or job classification.
 - (e) The company affiliation.
- (2) It is the Designated Qualifying Agent's responsibility to provide this information with the initial application, renewal application, employee registration application, notice of transfer, or request for duplicate identification card.
- (3) Individuals shall, while on the official business of an alarm systems contractor, wear their identification card in a conspicuously visible location on their person.
- (4) If the identification card is lost a notarized statement requesting a duplicate card must be complete and fee as set out in rule 0090—1—.09 shall be remitted to the Board with the request.

Authority: *T.C.A. §62—32—307(a). Administrative History: Original rule filed January 14, 1993; effective February 28, 1993. Amendment filed May 24, 1996; effective August 4, 1996.*